

**SULTAN CITY COUNCIL  
AGENDA ITEM COVER SHEET**

---

**ITEM NO:** C-9

**DATE:** July 24, 2008

**SUBJECT:** Public Hearing on Sultan Crossing Street Vacation Petition  
Terra Ex Land Group, Petitioner

**CONTACT PERSON:** Robert Martin, Community Development Director

**ISSUE:** Set public hearing date for August 14, 2008 as required by RCW 35.79.

**STAFF RECOMMENDATION:**

Set public hearing date for August 14, 2008.

**SUMMARY:**

The Council set July 10 as the date for a hearing on vacation of a portion of Sultan Basin Road. Posting as required by state statute was provided. Due to logistic problems, the hearing not scheduled for Council action. To conform to state statutes, it is necessary to provide another public notice at least 20 days in advance of the hearing date.

Staff will post the property and provide other notice as required for a hearing on August 14<sup>th</sup>.

**ALTERNATIVES:**

1. Hold the public hearing: The statutory requirement for posting on-site at least 20 days prior to the hearing date has not been met. Holding the hearing without that requirement would place subsequent action in jeopardy if a challenge is filed based on the statutory notice requirement.
2. Do not hold the public hearing: Council could determine to not proceed with the hearing, effectively rejecting the proposed street vacation and any further action on the proposal.
3. Schedule the hearing for August 14, 2008.

**FISCAL IMPACT:**

No significant fiscal impact is caused by re-scheduling the hearing date.

**RECOMMENDED ACTION:**

Schedule the public hearing for August 14, 2008.

*RCW*